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VIA ELECTRONIC FILING

The Honorable Jocelyn Boyd
Chief Clerk / Executive Director
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, SC 29210

Re: Enrique McMilion, Jr. v Duke Energy Carolinas, LLC
Docket No. 2019-331-E

Dear Ms. Boyd:

I am filing this letter on behalf of Duke Energy Carolinas, LLC (the "Company") in response to Complainant's email dated May 31, 2020 in order to clarify certain issues discussed therein.

Mr. McMilion is correct that on May 7, 2020, following the Commission's issuance of its decision on May 6, 2020 in the above-referenced proceeding, the Company dispatched a meter technician to attempt to exchange Mr. McMilion's meter, and that local law enforcement was present during the attempted meter exchange. Mr. McMilion refused to allow the technician to exchange the meter and the meter technician left the premises. As a courtesy, the Company had temporarily suspended its attempts to exchange the meter at Mr. McMilion's residence while his complaint proceedings were being adjudicated by the Commission. However, there is no provision that would restrict or otherwise limit the Company's access to or ability to exchange its equipment.

The Company has previously asserted, and reasserts here, that there is no requirement that a utility install whatever meter the customer chooses. To the contrary, S.C. Code Ann. Regs. 103-352 provides that "[s]ervice shall be measured by meters furnished by the electrical utility," and the Company's Commission-approved Service Regulations provide that "[t]he Company will furnish all necessary meters." In addition to there being no requirement that the Company delay the installation of its metering equipment, an appeal from a decision of the Commission does not stay its decision.¹ There is therefore no basis to conclude that the

¹ See S.C. Code Ann. Regs. 103-856(B); S.C. Code Ann. § 1-23-380(2).



Company must leave its equipment in place while Complainant files his series of complaints, requests for reconsideration, and whatever else may follow.

As for the presence of law enforcement personnel, safety is an important consideration when the Company's employees perform their work. In situations in the field that may pose a risk to customer or employee safety, the Company may request that local law enforcement be present to protect the Company's crews and customers. The Company would note, in response to Complainant's email, that it has no input as to the law enforcement personnel dispatched by their respective agencies.

Finally, S.C. Code Ann. Regs. 103-342(f) provides that a customer's service may be disconnected "[f]or failure of the customer to permit the electrical utility reasonable access to its equipment." Such equipment would include the Company's meters, and Mr. McMilion has continuously failed to permit the Company reasonable access to its meter for the purpose of exchanging it. Because customer disconnections are currently suspended due to COVID-19, the Company will temporarily suspend its attempts to exchange Mr. McMilion's electric meter. However, as discussed in this and previous proceedings involving Mr. McMilion, analog and Automated Meter Reading ("AMR") meters are no longer supported by the Company, and an AMI meter will be installed at Complainant's residence unless he opts into the Manually Read Meter Rider.

Kind regards,

Sam Wellborn

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cc: Randall Dong, Hearing Officer (via email)
Enrique McMilion, Jr., (via email and US Mail)
Jeffrey M. Nelson, ORS Chief Legal Officer Counsel (via email)
Carri Grube Lybarker, SC Consumer Advocate (via email)
Heather Shirley Smith, Deputy General Counsel (via email)
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